

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

RONALD KRZYZANOWSKY AND
LEANA KRZYZANOWSKY, on behalf
of themselves and all others similarly
situated, *et al.*,

Plaintiffs,

v.

ORKIN EXTERMINATING
COMPANY, INC., *et al.*,

Defendants.

No. C 07-05362 SBA

ORDER

[Docket No. 66]

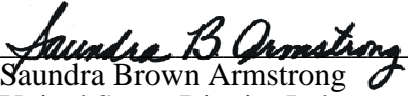
Before the Court is plaintiffs' Motion for Order Shortening Time to Hear Motion to Continue the Trial Date and Corresponding Deadlines (the "Motion to Shorten Time") [Docket No. 66]. For the following reasons the Court DENIES the Motion to Shorten Time. Along with the Motion to Shorten Time, plaintiffs filed a Motion to Continue Trial Date and Corresponding Deadlines (the "Motion to Continue") [Docket No. 67], under Civil Local Rule 6-3. In the Motion to Continue, plaintiffs correctly note that under Civil Local Rule 40-1, a party may seek to continue a trial date by a motion filed under Civil Local Rule 7. This latter rule provides, *inter alia*, for noticed motions under Civil Local Rule 7-2 and for motions to enlarge or shorten time under Civil Local Rule 6-1. This latter rule provides for stipulations filed under Civil Local Rule 6-2 and for motions filed under Civil Local Rule 6-3. N.D. Cal. Civ. L.R. 6-1(b).

In turn, Rule 6-3 provides for motions of five pages or less, and oppositions of the same length filed three days after the filing of a motion, unless otherwise ordered by the Court. *Id.* 6-3(a), (c). It also provides that after the filing of a motion and opposition under Rule 6-3, the Court may dispose of the motion, require further briefing, or set a hearing. *Id.* 6-3(d). *Rule 6-3 does not provide for hearings as a matter of course.* Thus, as plaintiffs have filed the Motion to Continue under Rule 6-3, defendants may respond under Rule 6-3(c), and the Court will then proceed under Rule 6-3(d). If the Court requires a hearing, it will set one. As there currently is no hearing date to

1 advance in time, the Court DENIES plaintiffs' Motion for Order Shortening Time to Hear Motion to
2 Continue the Trial Date and Corresponding Deadlines [Docket No. 66].

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4 IT IS SO ORDERED.

5 October 17, 2008

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7 Saundra Brown Armstrong
8 United States District Judge
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